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REGULATORY AUTH.

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

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**AT NASHVILLE, TENNESSEE**

OFFICE OF THE  
EXECUTIVE SECRETARY

**IN RE:**

**UNITED CITIES GAS COMPANY, a Division of  
ATMOS ENERGY CORPORATION  
INCENTIVE PLAN ACCOUNT (IPA) AUDIT**

**DOCKET NO.  
01-00704**

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**RESPONSE TO FIRST DATA REQUEST FILED BY UNITED CITIES GAS COMPANY**

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On July 23, 2002, United Cities Gas Company ("United Cities") filed with the Authority and served upon the Authority Staff (the "Staff") participating as a party in this matter the *First Data Request from United Cities Gas Company to the Staff of the Tennessee Regulatory Authority*. This filing contains six (6) interrogatories, two (2) of which are also requests for production of documents. The filing requests that the Staff respond on or before 2:00 p.m. on July 26, 2002.

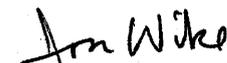
Authority Rule 1220-1-2-.11(1) states, in pertinent part:

Any party to a contested case may petition for discovery. In any case where discovery is sought, no discovery shall be undertaken until a discovery schedule is set in accordance with these rules.

United Cities has not petitioned for discovery, and a discovery schedule has not been set in this matter. Until such time as a discovery schedule is set, Staff is under no obligation to respond to the interrogatories or the request for production in United Cities' July 23, 2002 filing. Staff objects to United Cities' filing and to United Cities' attempt to conduct discovery in a

manner contrary to the Authority's Rules.

Respectfully submitted,



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Jon Wike  
Counsel for Authority Staff  
Participating as a Party

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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of July, 2002, true and accurate copies of the foregoing were served by facsimile to:

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Jon Wike